

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
LITIGATION**

**THIS DOCUMENT RELATES TO:
ALL ACTIONS**

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No. 12-md-2323 (AB)

MDL No. 2323

Hon. Anita B. Brody

**JONES OBJECTORS' NOTICE OF INTENT
TO REST ON THEIR WRITTEN SUBMISSIONS**

Pursuant to the Court's May 7, 2018 Order (ECF No. 9970), the Jones Objectors hereby notify the Court that they intend to rest on their previously filed written submissions supporting their Petition for an Award of Attorneys' Fees (ECF No. 7364).

The Jones Objectors' attorneys' fee request is predicated on the following written submissions (including exhibits):

1. Jones Objectors' Objection (ECF No. 6235) (filed October 14, 2014). With respect to the treatment of NFL Europe league players and their families, the preliminarily approved June 25, 2014 proposed settlement offered by Class Counsel and the NFL Parties (ECF Nos. 6073, 6084) did not credit any NFL European league season play toward qualification for settlement benefits. Under the original proposed settlement, retired players who played only in Europe were denied 97.5% of benefits of the settlement, no matter how many years they played. ECF No. 6087, June 25, 2014 proposed settlement, p. 9, §2.1(kk). The Jones Objectors and several others filed briefs or letters opposing the original proposed settlement specifically due to its undervalued treatment of European league players. Co-Lead Class Counsel filed briefs against improving the settlement for NFL Europe-league players and their families. In its approval of the final Settlement, this Court expressly noted that the final Settlement includes an amendment that enhances benefits for retired NFL players who played in NFL-Europe leagues, in response to "concerns raised by several

Objectors." ECF No. 6509, 4/22/15 Order at p. 104, n.76 (listing Objectors Morey, Slack, Duff, Jones, and Zeno). The final Settlement confers a half-season benefits credit for each season a retired player played in Europe. *Id.* at pp. 103-04. Co-Lead Class Counsel's own proffered expert has calculated the value to the Class of this amendment at \$41 million (ECF No. 7464-12 at p. 7).

2. Jones Objectors' Petition for an Award of Attorneys' Fees for Successful Efforts to Improve the Settlement for NFL Europe League Players (ECF No. 7364) (filed March 27, 2017).

3. Jones Objectors' Response in re: Their Attorneys' Fee Petition (ECF No. 7555) (filed April 26, 2017).

4. Declaration of James T. Capretz in Response to Proposed Allocation of Common Benefit Attorneys' Fees and Expenses (ECF No. 8727) (filed October 27, 2017).

Wherefore, the Jones Objectors respectfully request that the Court consider their petition for a discretionary award of reasonable fees for the substantial European-league season credit enhancement to the Settlement.

Date: May 11, 2018

/s/ James T. Capretz
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COUNSEL FOR THE JONES OBJECTORS

CERTIFICATE OF SERVICE

I certify that a true copy of the Jones Objectors' Notice of Intent to Rest on Their Written Submissions was served on all counsel of record via the Court's ECF system, on May 11, 2018.

/s/ James T. Capretz
James T. Capretz